

REMARKS

As a preliminary matter, Applicants state for the record their objection to the Examiner's Restriction Requirement Action, mailed August 11, 2004, after two years of prosecution and after Applicants made a diligent effort to place the case in condition for allowance, when filing their RCE, dated June 4, 2004. Applicants reserve the right to contest any patent term that may be lost, because of the delayed prosecution of this application on the part of the U.S. Patent Office.

Applicants hereby elect Group I, with traverse, and elect the species of Example 30, (2S)-2-[(1-{{(5-Ethyl-1,3,4-thiadiazol-2-yl)amino]carbonyl}cyclopentyl)methyl]pentanoic acid, wherein n is zero and Y is a substituted 5-membered heterocycle, containing two nitrogens and one sulfur atom, and substituted with an ethyl group. Applicants reserve the right to file divisional applications directed to any subject matter cancelled herein and request the rejoinder of withdrawn process claims at the appropriate juncture of prosecution of the above-captioned application.

Claim 2 was amended to properly define compound I and to put the claim in proper form, pursuant to the first restriction requirement. Support for the amendment defining compound I may be found in Claim 1.

Claims 1, 28-31, 34 and 36 are withdrawn as non-elected inventions, pursuant to the restriction requirement.

CONCLUSION

Having addressed all points and concerns raised by the Examiner, Applicants respectfully submit that the application is in condition for allowance and request an early and favorable action in this application.

Respectfully submitted,

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